

Virginia Laws on Slavery from the Colonial Era to 1705

TYPE	YEAR	LAWS/CODES	DESCRIPTION
Miscegenation	1630	Judicial ruling	The Governor and Council of Virginia ruled that Hugh Davis (a white man) who was convicted of "lying with a Negro" be soundly whipped before an assembly of enslaved blacks and others for "abusing himself to the dishonor of God and shame of Christians." Punishment also included a public apology on the next Sabbath.
Miscegenation	1640	Judicial ruling	Robert Sweet, a white man, ordered to do penance in church according to the laws of England, for impregnating an enslaved black woman. The woman was ordered to be whipped by the Governor and his Council.
Runaways	1661	Statute	Slavery was legally recognized with passage of fugitive slave law. Enslaved blacks could not be punished by adding time to their period of servitude, because they served for life. The decree further noted that if a white servant ran off with a black, he would serve his penalty time plus that of the black, because time could not be added to the black's lifetime of servitude.
Children	1662	Statute	A child took the status of his/her mother (<i>partis sequitor ventrum</i>). This statute contrasted with common law, which conferred the father's status on the child. If the usual condition applied, slavery would slowly have become extinct because of the number of white masters who fathered enslaved children.
Slave Code	1680	Statute	The colony's first major slave code was enacted in reaction to a series of uprising by settlers, servants and enslaved blacks. Laws were designed to keep blacks peaceful and subservient. Enslaved blacks were prohibited from carrying weapons, or leaving their master's home without a certificate. Punishment for violating the laws was 20 lashes. Laws were strengthened in 1705.
Slavery legalized	1682	Statute	All servants, except Turks and Moors, brought to this country whose native religion was not Christianity were declared slaves.
Slave Code	1691	Statute	Illegal for whites to marry blacks or Indians, whether free or not. Also made it difficult for masters to free their black slaves and for free blacks to remain in colony. Included a provision that made it lawful to "kill and distroy by gun or any otherwise whatsoever" enslaved blacks or mulattoes who unlawfully absented themselves from the service of their masters. Also noted that any white man or woman who intermarried with a black, mulatto or Native American were to be banished. A white free woman who gave birth to a black or mulatto child was ordered to pay 15 pounds sterling within one month after child was born to church wardens. Such a child was ordered to be bound out as a servant by the church until he or she reached age 30. The mother's punishment was to be sold as a servant by church wardens for five years. In addition, the statute noted that no black or mulatto could be set free by any person unless such person paid for their transportation out of the country within six months after setting them free and paying ten pound sterling to church wardens.
Slavery legalized	1705	Statute	All imported servants were to remain in lifelong servitude with the exception of those who had been Christians in their native country or had been free in a Christian country. Law limited slavery to blacks.
Property rights	1705	Statute	Prior to this statute, enslaved blacks were regarded as chattel, like livestock. The new law made enslaved blacks real estate and chattel that could be used for paying a debt.